

Legislative Reference Service

WEEK ENDING 2/7/03

NO. 2

CODE ENFORCEMENT

H-5529 ELECTRICIANS (Winfield) This act would allow licensed hoisting engineers to excavate and install underground conduits, but would prohibit them from installing electrical wiring and/or making the service connection of wires or cables. Labor

S-241 ELECTRICIANS (Badeau) This act would prohibit hoisting engineers from installing electrical wiring or making service connections of any electrical wires or cables, but would allow for the excavation and installation of underground conduits, and would provide for issuance of building permits for the installation. Labor

EDUCATION AND SCHOOLS

H-5385 SCHOOL-TO-CAREER PROGRAM (McNamara & Others) This act would provide a tax credit of 10% of the expenses, up to \$200, to private businesses which participate in a "Qualified School-to-Career Program". H.E.W.

H-5387 CHARTER PUBLIC SCHOOLS (Savage & Others) This act would require that, in the creation of charter schools, the application submitted to the commissioner and the local school committee pursuant to the creation of such a school would include a description of a plan that would include measurable student academic goals. H.E.W.

H-5390 SCHOOL BUDGETS (Anderson) This act would establish an arbitration board to permit school committees to resolve the local appropriation process for school budgets. Labor

H-5419 CHILDREN WITH DISABILITIES (Petrarca & Others) This act would require the state to provide funding for the special education needs of a child who moves into a city/town after the school committee adopts its budget for the school year. Any additional funding would apply to that school year only. Finance

H-5426 SCHOLARSHIP ORGANIZATION (Giannini & Others) This act would establish tax credits for contributions to scholarship organizations. Finance

H-5457 INDEPENDENT LEGAL COUNSEL (Anderson) This act would provide local school committees with the authority to retain legal counsel, other than the town/city solicitor, in order to further the statutory duties and responsibilities assigned to the committees by Title 16 of the General Laws. H.E.W.

H-5458 REGIONAL AND URBAN COLLABORATIVES (Anderson) This act would require any collaborative established under Chapter 16-3.1 of the General Laws to track expenditures and investments and file a report each year with the board of regents. H.E.W.

H-5459 PROFESSIONAL DEVELOPMENT (Menard & Others) This act would allow school collaboratives to receive aid from the Professional Development Investment Fund. H.E.W.

H-5460 PUBLIC NEIGHBORHOOD SCHOOL EMPOWERMENT PROGRAM (Giannini & Others) This act would require local public schools to accept all local children living within that school's radius. H.E.W.

H-5491 SCHOOL ABSENCES (Lima & Williams) This act would require students 16 years or older who are receiving cash assistance to have no more than 10 unexcused absences from school per quarter to maintain eligibility. Finance

H-5497 SCHOOL BUSES (Jacquard & Others) This act would require that, effective August 1, 2003, all school buses purchased for use in the state be equipped with safety belts for each passenger and operator seat, and would further require mandatory safety belt use by the school bus operator and each passenger. H.E.W.

H-5499 COMPULSORY ATTENDANCE (Lima & Others) This act would require children between 16 and 18 years of age to obtain permission from a custodial parent or guardian in order to be exempt from mandatory school attendance. H.E.W.

H-5513 CERTIFICATION OF TEACHERS (Crowley) This act would repeal the section of law which would allow for the issuance of a teaching certificate without a satisfactory score on the standardized teacher's exam. H.E.W.

S-216 CHARTER PUBLIC SCHOOLS (Alves & Others) This act would require charter school proposals from public school districts to contain school committee approval. In addition, charter school proposals from nonprofit organizations must be authorized by the local city/town funding authority. Education

S-217 PROFESSIONAL DEVELOPMENT (Alves & Others) This act would provide that a certificate of clinical competence issued by the American Speech-Language-Hearing Association would be considered equivalent to a certificate issued by the National Board for Professional Teachers' Standards. Education

S-219 ALTERNATIVE SCHOOL PILOT PROGRAM (Ciccone & Others) This act would establish an Alternative School Pilot Program, to be adopted by the Board of Regents of Elementary and Secondary Education and the local school committees, for the purpose of educating children who have been expelled from school or have otherwise been determined to be unsuitable for attendance at a regular school. Education

S-232 SPEECH LANGUAGE PATHOLOGISTS (Alves & Ruggerio) This act would provide that any licensed speech language pathologist who has met the requirements, acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association, and who is employed by a school district would be entitled to receive an annual salary supplement of \$5,000 in addition to any other compensation to which the employee may be entitled. Health & Human Services

S-254 COZ FAMILY CENTERS (Gibbs & Others) This act would establish a Child Opportunity Zone (COZ) Family Center Fund and appropriate \$1,000,000 for the development of existing or new COZ family centers. Finance

S-255 SCHOOL BUS TRANSPORTATION (Paiva-Weed) This act would mandate state financing of bus transportation to public school pupils by the Department of Elementary and Secondary Education. Finance

S-259 VOCATIONAL EDUCATION (Breene & Others) This act would require the state to annually pay for the tuition and related costs for students attending a state elementary or secondary vocational education school. The payments would be made directly to the respective schools. Finance

S-272 HEALTH AND SAFETY OF PUPILS (Tassoni & Others) This act would require schools to adopt policies that prohibit harassment, intimidation and bullying by students at school. Education

S-274 ALTERNATIVE EDUCATION PROGRAMS (Polisena & Damiani) This act would require each school district to adopt a plan to create an alternative education program to educate students who are removed from the classroom because of a suspension of more than 10 days or who are chronically truant. Education

S-301 PROFESSIONAL DEVELOPMENT (Connors & Others) This act would allow school collaboratives to receive aid from the Professional Development Investment Fund. Finance

S-303 EDUCATIONAL MANDATES (Raptakis & Others) This act would place restrictions on educational mandates. Finance

ELECTIONS

S-295 REGISTRATION OF VOTERS (Ciccone & Others) This act would require a photo ID to vote. Judiciary

ENVIRONMENT

S-269 ENERGY SUPPLY ACT (Felag & Others) This act would establish a procedure that municipalities must follow before they acquire a petroleum marine facility or fuel storage facility by eminent domain, which includes input from the Department of Environmental Management and the Economic Development Corporation. Environment & Agriculture

FINANCE AND TAXATION

H-5412 PAYMENT IN LIEU: STATE PARKS (Anguilla & Others) This act would provide for an appropriation to cities and towns with state parks located therein to reimburse them for the cost of services provided. Finance

H-5475 UNFUNDED PENSION LIABILITY (Lima & Others) This act would require every city/town to set aside 2% of its operating budget to help offset its unfunded pension liability. Corporations

H-5477 PAYMENT IN LIEU: NONPROFIT ORGANIZATIONS (Giannini & Others) This act would permit municipalities to collect payments and/or services in lieu of taxes from certain nonprofit organizations. Corporations

H-5490 PAYMENT IN LIEU: 35% TO 50% (Moura & Others) This act would gradually increase the percent of the state appropriations in lieu of taxes, starting with 35% on July 1, 2003, and finally reaching 50% as of July 1, 2006. Finance

H-5496 HOTEL TAX (Crowley & Others) This act would increase the amount of the hotel tax given to the city/town where the hotel is located from 25% to 35%, and would reduce the amount allocated to general revenues from 21% to 11%. Finance

S-226 EXEMPTION: AMBULANCE OR RESCUE CORPS (Breene) This act would add ambulance and rescue corporations to property exempt from taxation. Finance

S-256 SCHOOL AID: 5% INCREASE (Fogarty & Others) This act would provide for an annual minimum 5% increase in state aid to education. Finance

LABOR RELATIONS

H-5391 FIREFIGHTERS' ARBITRATION (Landroche & Others) This act would add civilian employees to the definition of firefighter for the purposes of this chapter. Labor

H-5421 SCHOOLTEACHERS' ARBITRATION (Menard & Others) This act would provide for the payment of certain costs pertaining to compulsory mediation. Finance

H-5464 FIREFIGHTERS' ARBITRATION (Montanaro & Others) This act would require that the rights or benefits conferred on employees by an expiring collective bargaining agreement would continue until a new agreement is ratified. Labor

H-5524 SCHOOLTEACHER DISPUTES (Crowley) This act would provide that a finding of irreparable injury or harm would not be necessary to support the issuance of an injunction during teachers' strike. Labor

S-289 MUNICIPAL EMPLOYEE DISPUTES (Damiani & Others) This act would provide for a method of arbitration as an alternate way to settle disputes, to be a recognition solely of the necessity to provide an alternate method where employees are denied the usual right to strike. The arbitration decision would be binding. It would set forth guidelines for said arbitration. This act would further change the term "salary" to "wages, rates of pay". Labor

LIQUOR CONTROL AND LICENSES

H-5397 CLASS N NIGHTCLUB LICENSE (Moura & Kilmartin) This act would make a technical change to the requirements of Class N license holders. Corporations

H-5481 VENDING MACHINES (Crowley & Shavers) This act would allow towns and cities to regulate placement of newspaper and magazine vending machines. Corporations

PLANNING AND ZONING

H-5367 ZONING: LOW AND MODERATE INCOME HOUSING (Menard & Others) This act would specifically exclude private developers from the provisions of 45-53-4, which would allow a single application process for the construction of low/moderate income housing. Corporations

S-237 ZONING ORDINANCES (Walaska) This act would make technical changes to the zoning appeal law by replacing the word “hearing” with the word “appeal”. Judiciary

S-298 ZONING ORDINANCES: PARKING REQUIREMENTS (Gibbs & Others) This act would require that minimum and maximum parking requirements be added as standard provisions in zoning ordinances. Commerce, Housing & Municipal Government

S-300 LOW AND MODERATE INCOME HOUSING (Celona & Others) This act would specifically exclude private developers from the provisions of 45-53-4, which would allow a single application process for the construction of low/moderate income housing. Commerce, Housing & Municipal Government

PUBLIC SAFETY – POLICE AND FIRE

H-5363 FIRE COMPANIES (Kennedy & Others) This act would provide reimbursement from the state for volunteer fire companies that respond to emergencies which occur on a limited access highway. Corporations

H-5365 EXPLOSIVES – SEISMIC LIMITS (Montanaro & Others) This act would require licensed blasters to provide a blasting plan to the state fire marshal upon request, and would allow for on site seismic readings. This act would also increase blasting permit bonds to \$1,000,000. Corporations

H-5376 STRIP-SEARCHES OF DETAINEES (Kennedy & Others) This act would codify the standards necessary to conduct strip searches and body cavity searches. Judiciary

H-5398 ABANDONED MOTOR VEHICLES (Sherlock & Others) This act would include the Rhode Island Airport Corporation Police Department in the definition of “police department” in Section 31-42-1 of the General Laws. Corporations

H-5401 LAW ENFORCEMENT CANDIDATES (Shanley & Others) This act would require a minimum of 60 credit hours from an accredited college or university and/or 2 years equivalent experience in law enforcement or the military as a prerequisite to employment as a police officer. Corporations

H-5433 RHODE ISLAND JUSTICE COMMISSION (Petrarca) This act would make changes in the composition of the Rhode Island Justice Commission, the Criminal Justice Policy Board, and the Criminal Justice Oversight Committee. Judiciary

H-5451 TRAFFIC CONTROL (Ginaitt & Others) This act would establish a traffic control monitoring system known as the “Rhode Island Red Light Running Act of 2003”. Judiciary

H-5452 DRIVING UNDER THE INFLUENCE (Ginaitt & Others) This act would make the penalty for driving under the influence (DUI) at the eight one-hundredths of one percent (.08%) level a misdemeanor. Judiciary

H-5465 FIRE APPARATUS PLATES (Menard & Others) This act would provide that vehicles bearing fire apparatus plates would be inspected annually pursuant to national fire protection association standard 1915, 2000 edition. Labor

H-5503 MOTORCYCLES (Lima) This act would require that helmet use by passengers 18 years and older would be voluntary. H.E.W.

H-5514 CONTROLLED SUBSTANCES (Jacquard & Others) This act would extend forfeiture proceedings to cases involving counterfeit and/or designer drugs. Judiciary

H-5515 DESTRUCTION OF UNLAWFUL FIREARMS (Jacquard & Others) This act would establish a procedure for the forfeiture and destruction of unlawful firearms seized by police departments in the state. Judiciary

H-5516 DISORDERLY CONDUCT (Lally & Others) This act would add the use of video imaging systems without consent to the definition of disorderly conduct. Judiciary

H-5517 ARRESTS (Lima & Others) This act would prohibit a peace officer from searching or arresting a person without a warrant for a violation punishable only by a fine. Judiciary

H-5521 EMERGENCY 911 (Shanley & Others) This act would make the placing of disruptive nonemergency calls to 9-1-1 or any other public safety agencies a felony, with progressive penalties for subsequent offenses. Judiciary

S-228 PAYMENTS TO FIRE COMPANIES (Breene & Others) This act would provide reimbursement from the state for volunteer fire companies that respond to emergencies which occur on a limited access highway. Finance

S-249 DRIVING UNDER THE INFLUENCE (Polisena & Others) This act would make the penalty for driving under the influence (DUI) at the .08% level a misdemeanor. Judiciary

S-251 EMERGENCY 911 (Polisena & Damiani) This act would make the placing of disruptive nonemergency calls to 9-1-1 or any other public safety agencies a felony, with progressive penalties for subsequent offenses. Judiciary

S-293 SEXUAL OFFENDER REGISTRATION (Celona & Others) This act would amend "Megan's Law" by requiring offenders to register with police departments within 24 hours of relocation. Judiciary

RETIREMENT

H-5399 MUNICIPAL EMPLOYEES (Montanaro & Others) This act would mandate that a municipality contribute the minimum amount actuarially required into the employee retirement system. Corporations

H-5400 OPTIONAL RETIREMENT FOR POLICE AND FIREFIGHTERS (Montanaro & Others) This act would include all regular and permanent rescue service personnel and employees of any city/town or fire district within the framework of the optional retirement system that is presently limited to police officers and firefighters. Corporations

H-5427 HOLIDAY PAY (Landroche & Others) This act would include holiday pay in the hours and wages utilized in the calculation of public officers' and employees' retirement benefits. Finance

H-5494 SPOUSE'S BENEFITS (Lewiss & Others) This act would increase a deceased teacher's spouse's monthly minimum benefit by 25%. Finance

S-225 POST RETIREMENT EMPLOYMENT (Issa & Others) This act would provide that in no event shall “part-time” mean gross pay of more than \$15,000 in any 1 calendar year for post retirement income. Finance

S-257 SERVICE ALLOWANCE (Lanzi & Others) This act would permit state employees who purchase other service credit to also purchase credit for the time (up to 4 years) served on active military service. Finance

S-302 REPAYMENT AND RESTORATION OF CREDITS (Lanzi & Others) This act would provide that members of the State Retirement System would be allowed a refund of their contributions in the event their employment is terminated as a result of a line of duty disability. Finance

S-304 RETIREMENT BOARD (DaPonte) This act would allow 1 retired teacher to be elected to the retirement board by retired teachers in the system; 1 retired state employee to be elected by retired state employees in the system; 1 retired state municipal employee to be elected by the retired municipal workers in the system. Finance

TOWN AND CITY CLERKS

H-5437 DIGITAL OR ELECTRONIC MORTGAGE (Lewiss) This act would provide that an effective and properly recorded conveyance will not be deemed invalid or unenforceable because the original documentation is converted into digital or electronic form. Judiciary

H-5439 VALIDATING CONVEYANCES (Lewiss & Others) This act would validate conveyances which contain certain defects or omissions. Judiciary

H-5440 LIMITED GUARDIANSHIP (Lewiss & Others) This act would exempt using the decision-making assessment tool only with court approval and upon extraordinary or emergency circumstances, and the decision-making assessment tool must be completed by a physician who has treated or examined the individual. Judiciary

H-5445 NONRESIDENT LANDLORD: SERVICE OF PROCESS (Corvese) This act would lessen the penalty for a nonresident landlord who fails to designate agent for service of process. Judiciary

H-5461 LIMITED GUARDIANSHIPS (Lewiss & Others) This act would create a new exception to disclosure of health care records. H.E.W.

STATE OF RHODE ISLAND
Department of Administration
One Capitol Hill
Providence, RI 02908-5873

PRSRT STD
US POSTAGE PAID
PROVIDENCE, RI
PERMIT NO. 1286

OFFICE OF MUNICIPAL AFFAIRS
Joseph E. Coduri, Supervisor
222-2854

